



City Council Chambers
3300 Capitol Avenue
Fremont, California

City Council

Bob Wasserman, Mayor

Suzanne Lee Chan, Vice Mayor

Anu Natarajan

Bill Harrison

Dominic Dutra

City Staff

Fred Diaz, City Manager

Harvey E. Levine, City Attorney

Mark Danaj, Assistant City Manager

Dawn G. Abrahamson, City Clerk

Robert Beyer, Interim Community Dev. Director

Harriet Commons, Finance Director

Marilyn Crane, Information Technology Svcs. Dir.

Annabell Holland, Community Services Director

Norm Hughes, City Engineer

Bruce Martin, Fire Chief

Jim Pierson, Public Works Director

Jeff Schwob, Planning Director

Suzanne Shenfil, Human Services Director

Craig Steckler, Chief of Police

Brian Stott, Human Resources Director

Lori Taylor, Economic Development Director

Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
2. Consent Calendar
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

The City Council Agendas may be accessed by computer at the following Worldwide Web Address: www.fremont.gov

Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk
City of Fremont
3300 Capitol Avenue, Bldg. A
Fremont, California 94538
Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

**NOTICE AND AGENDA OF SPECIAL MEETING
CLOSED SESSION
CITY OF FREMONT**

DATE: Tuesday, April 12, 2011

TIME: 6:00 p.m.

LOCATION: Fremont Room, 3300 Capitol Avenue, Fremont-

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT:

Any person desiring to speak on an item listed on this Notice, may do so now. The Mayor will limit the length of your presentation and each speaker may only speak once on each item.

CONFERENCE WITH LABOR NEGOTIATOR: The City Council will hold a special meeting which will commence as an open meeting and then adjourn to a closed session as authorized by subdivision (a) of Section 54957.6 of the Government Code for the purpose of reviewing its position for upcoming employee negotiations and for instructing Fred Diaz, City Manager; Mark Danaj, Assistant City Manager and Harvey Levine, City Attorney as the City's negotiators regarding salaries, salary schedules, compensation paid in the form of fringe benefits of its represented and unrepresented employees, and for any other matters within the statutorily provided scope of representation.

The names of the organizations representing employees in question are:

Fremont Association of Management Employees
Fremont Association of City Employees
Operating Engineers
Teamsters Local 856
Fremont Police Association
Professional Engineers and Technicians Association

CONFERENCE WITH LABOR NEGOTIATOR: The City Council will hold a special meeting which will commence as an open meeting and then adjourn to a closed session as authorized by subdivision (a) of Section 54957.6 of the Government Code for the purpose of reviewing its position for upcoming employee negotiations and for instructing Fred Diaz, City Manager; Mark Danaj, Assistant City Manager and Harvey Levine, City Attorney as the City's negotiators regarding salaries, salary

schedules, compensation paid in the form of fringe benefits of its represented and unrepresented employees, and for any other matters within the statutorily provided scope of representation.

The names of the organizations representing employees in question are:

Fremont Fire Fighters
Fremont Fire Fighters Battalion Chiefs

This Special Meeting is being called by Mayor Wasserman.

AGENDA
FREMONT CITY COUNCIL REGULAR MEETING
APRIL 12, 2011
COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A
7:00 P.M.

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 2.1 *Motion to Waive Further Reading of Proposed Ordinances*
(This permits reading the title only in lieu of reciting the entire text.)
- 2.2 *Approval of Minutes – None.*
- 2.3 **POLICE TRAINING CENTER AND INDOOR RANGE DEDICATION PLAQUE**
Dedication Plaque quotation for Police Training Center and Indoor Range

Contact Person:

Name:	<i>Frank Grgurina</i>	<i>Craig Steckler</i>
Title:	<i>Captain</i>	<i>Police Chief</i>
Dept.:	<i>Police</i>	<i>Police</i>
Phone:	<i>510-790-6911</i>	<i>510-790-6810</i>
E-Mail:	<i>fgrgurina@fremont.gov</i>	<i>csteckler@fremont.gov</i>

RECOMMENDATION: *Approve the quotation for use on the dedication plaque for the Police Training Center and Indoor Range.*

2.4 *EXCESS PUBLIC RIGHT-OF-WAY SUMMARY VACATION AT CURIE STREET AND PACIFIC COMMONS BOULEVARD*

Consider a Summary Vacation of Excess Right of Way Dedicated On Tract 7472 At the Southerly and Easterly Corners of Curie Street and Pacific Commons Boulevard Intersection in the Industrial Planning Area (PLN2011-00160)

Contact Person:

<i>Name:</i>	<i>Clifford Nguyen</i>	<i>Jeff Schwob</i>
<i>Title:</i>	<i>Associate Planner</i>	<i>Planning Director</i>
<i>Dept.:</i>	<i>Community Development</i>	<i>Community Development</i>
<i>Phone:</i>	<i>510-494-4769</i>	<i>510-494-4527</i>
<i>E-Mail:</i>	<i>cnguyen@fremont.gov</i>	<i>jschwob@fremont.gov</i>

RECOMMENDATION:

- 1. Hold public hearing;*
- 2. Find that Summary Vacation PLN2011-00160 is exempt from the California Environmental Quality Act per CEQA Guideline 15305, in that the vacation is considered a minor alteration in land use limitations which does not result in any land use or density changes;*
- 3. Find that Summary Vacation PLN2011-00160 as depicted in Exhibit "A" fulfills the applicable criteria for summary vacation for the reasons stated in the body of this staff report; and*
- 4. Adopt a Resolution including the findings referenced above and vacating the excess right-of-way as depicted and described in Exhibit "A".*
- 5. Direct the City Clerk to record the Resolution of Vacation with the Alameda County Recorder and return one copy of the recorded Resolution to the Planning Division and Engineering Division for their respective files.*

2.5 *APPROVE A CONTRACT WITH FIELDTURFUSA, INC., TO PURCHASE AND INSTALL SYNTHETIC TURF MATERIAL FOR THE CENTERVILLE BALLFIELD SYNTHETIC TURF PROJECT*

Approve and Authorize the City Manager to Execute a Contract With FieldTurfUSA to Purchase and Install Synthetic Turf Material through the Existing California Multiple Award Schedule (CMAS) Agreement Between the State of California and FieldTurfUSA Inc., for the Centerville Ballfield Synthetic Turf Conversion Project, 8717 (PWC)

Contact Person:

<i>Name:</i>	<i>Mark Mennucci</i>	<i>Roger Ravenstad</i>
<i>Title:</i>	<i>Associate Landscape Architect</i>	<i>Senior Landscape Architect</i>
<i>Dept.:</i>	<i>Community Services</i>	<i>Community Services</i>
<i>Phone:</i>	<i>510-494-4530</i>	<i>510-494-4723</i>
<i>E-Mail:</i>	<i>mmennucci@fremont.gov</i>	<i>rravenstad@fremont.gov</i>

RECOMMENDATION:

- 1. Approve the plans and specifications, and authorize the City Manager to enter into an Agreement with FieldTurfUSA, Inc., and authorize the City Manager or*

designee to execute a contract through CMAS contract #4-06-78-0031A, between the State of California and FieldTurfUSA, Inc., for \$307,289, plus a 10% construction contingency of \$30,729 for unforeseen conditions, for a total potential contract amount of \$338,018.

2. *Authorize the City Manager or designee to pay an administrative fee of up to \$6,423, which equals 1.9% of the final purchase price, to the State of California, Department of General Services (DGS) for using CMAS.*
3. *Authorize the City Manager or designee to execute an agreement for maintenance services at Centerville Ballfield and Irvington Ballfield for no additional charge, with FieldTurfUSA's FieldCare Division.*

2.6 *SILICON VALLEY BERRYESSA BART EXTENSION (SVBX) PROJECT AGREEMENT*

Approval of a Comprehensive Agreement with the Santa Clara Valley Transportation Authority (VTA) Covering the Construction of the SVBX Project

Contact Person:

*Name: Jim Pierson
Title: Director
Dept.: Public Works
Phone: 510-494-4722
E-Mail: jpierson@fremont.gov*

RECOMMENDATION: Staff recommends the Council authorize the City Manager or his designee to execute a Comprehensive Agreement with the Santa Clara Valley Transportation Authority (VTA) relating to the Silicon Valley Berryessa BART Extension Project (SVBX) as described herein; and execute amendments to the Agreement, if required, provided the amendments do not have a negative fiscal impact upon the City.

2.7 *SERVICE AGREEMENT WITH SYSCO SAN FRANCISCO INC., FOR PURCHASE OF FOOD SERVICE SUPPLIES AND DELIVERY TO AQUA ADVENTURE WATERPARK*

Authorize the City Manager or his Designee to Enter into a Service Agreement with Sysco San Francisco Inc., not to exceed \$100,000 per Year

Contact Person:

<i>Name:</i>	<i>Kim Beranek</i>	<i>Annabell Holland</i>
<i>Title:</i>	<i>Recreation Superintendent II</i>	<i>Director</i>
<i>Dept.:</i>	<i>Community Services</i>	<i>Community Services</i>
<i>Phone:</i>	<i>510-494-4330</i>	<i>510-494-4329</i>
<i>E-Mail:</i>	<i>kberanek@fremont.gov</i>	<i>aholland@fremont.gov</i>

RECOMMENDATION: Authorize the City Manager or designee to enter into a service agreement with Sysco San Francisco Inc., in an amount not to exceed \$100,000 per year to provide food service supplies and delivery to Aqua Adventure Waterpark for a one year term with the option for up to two additional one year terms.

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – None.

PUBLIC FINANCING AUTHORITY – None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS

5.1 DRISCOLL ROAD HOMES (ALSO KNOWN AS THE ADVENTIST/ROBSON SUBDIVISION) – 225 DRISCOLL ROAD

Public Hearing (Published Notice) to Consider a Preliminary & Precise Planned District (P-2010-280), Preliminary Grading Plan, Private Street, and Vesting Tentative Tract Map 8052 to Develop a 9-lot Single-Family Residential Subdivision on a Vacant Portion of the Seventh-Day Adventist Church Property (PLN2010-00280)

Contact Person:

Name:	Stephen Kowalski	Jeff Schwob
Title:	Associate Planner	Planning Director
Dept.:	Community Development	Community Development
Phone:	510-494-4532	510-494-4527
E-Mail:	skowalski@fremont.gov	jschwob@fremont.gov

RECOMMENDATION:

1. Hold public hearing;
2. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program and find that this action reflects the independent judgment of the City of Fremont;
3. Introduce an ordinance that rezones the property and adopts the Preliminary and Precise Planned District and direct staff to prepare and the City Clerk to publish a summary of the ordinance;

4. Find that the Preliminary and Precise Plan for the project and Vesting Tentative Tract Map No. 8052 and the accompanying Private Street and Preliminary Grading Plan as depicted in Exhibits “C” and “D”, respectively, fulfill the applicable requirements set forth in the Fremont Municipal Code;
5. Approve the Preliminary and Precise Plan as shown on Exhibit “C” (site plan, floor plans, building elevations and landscape plans), and Vesting Tentative Tract Map No. 8052 and the accompanying Private Street and Preliminary Grading Plan as shown on Exhibit “D”, based upon the findings contained in this report and subject to the conditions of approval set forth in Exhibit “F”;
6. Approve the proposed Affordable Housing Plan as shown in Exhibit “E” authorizing the applicant to purchase two off-site market-rate 3-bedroom condominium units for conversion to Below-Market-Rate units, or pay the required in-lieu fees to achieve compliance with the Affordable Housing Ordinance; and
7. Approve the proposed removal and mitigation for all private, protected trees pursuant to the City’s Tree Preservation Ordinance and as described in the staff report and conditions of approval set forth in Exhibit “F”.

6. REPORT FROM CITY ATTORNEY

6.1 Report Out from Closed Session of Any Final Action

7. OTHER BUSINESS

7.1 APPROVE THE FREMONT SKATE PARK DESIGN, 8672 (PWC) Recreation Commission Referral to Adopt a Mitigated Negative Declaration and Approve the Site Master Plan for the Fremont Skate Park, 8672 (PWC), Including Proposed Art

Contact Person:

Name:	Roger Ravenstad	Annabell Holland
Title:	Senior Landscape Architect	Director
Dept.:	Community Services	Community Services
Phone:	510-494-4723	510-494-4329
E-Mail:	rravenstad@fremont.gov	aholland@fremont.gov

RECOMMENDATION:

1. Hold a public hearing.
2. Adopt the draft Mitigated Negative Declaration, as shown in Exhibit A, and find this action reflects the independent judgment of the City of Fremont.
3. Approve the art designed by Eric Powell for the Advance Bowl railing, and that it meets the requirements of the Art in Public Places Policy, Resolution No. 7111.
4. Approve Exhibit B, Site Master Plan for the Fremont Skate Park, PWC 8672.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals – None.

8.2 Oral Reports on Meetings and Events

9. ADJOURNMENT



***2.3 POLICE TRAINING CENTER AND INDOOR RANGE DEDICATION PLAQUE**
Dedication Plaque quotation for Police Training Center and Indoor Range

Contact Person:

Name:	Frank Grgurina	Craig Steckler
Title:	Captain	Police Chief
Dept.:	Police	Police
Phone:	510-790-6911	510-790-6810
E-Mail:	fgrgurina@fremont.gov	csteckler@fremont.gov

BACKGROUND: On June 20, 1995, the City Council approved a policy on dedication plaques for new buildings in the City of Fremont. The policy delegates to staff several design and location choices with respect to plaques. Council's policy also identifies the names to go on the plaques. A remaining issue is the quotation to be used on each dedication plaque. Such quotations are to be returned to the City Council for approval.

DISCUSSION/ANALYSIS: This report presents the following recommended quotation to the City Council for the Police Training Center and Indoor Range located at 1996 Stevenson Boulevard:
"The will to win means nothing without the will to prepare."

The quotation is attributed to Juma Ikangaa, a marathon runner from Tanzania who competed in numerous marathons across the world and competed in three Olympic Games. The proposed quotation was selected from a list quotations provided by members of the department.

FISCAL IMPACT: None.

ENVIRONMENTAL REVIEW: N/A.

ENCLOSURE: [Biography of Juma Ikangaa](#)

RECOMMENDATION: Approve the quotation for use on the dedication plaque for the Police Training Center and Indoor Range.

***2.4 EXCESS PUBLIC RIGHT-OF-WAY SUMMARY VACATION AT CURIE STREET AND PACIFIC COMMONS BOULEVARD**

Consider a Summary Vacation of Excess Right of Way Dedicated On Tract 7472 At the Southerly and Easterly Corners of Curie Street and Pacific Commons Boulevard Intersection in the Industrial Planning Area (PLN2011-00160)

Contact Person:

Name:	Clifford Nguyen	Jeff Schwob
Title:	Associate Planner	Planning Director
Dept.:	Community Development	Community Development
Phone:	510-494-4769	510-494-4527
E-Mail:	cnguyen@fremont.gov	jschwob@fremont.gov

Executive Summary: The Council is asked to consider adoption of a resolution to summarily vacate excess right-of-way at the southerly and easterly corners of the Curie Street and Pacific Commons Boulevard intersection. Staff recommends the vacation as proposed.

BACKGROUND: JMH Weiss, the civil engineer of record, submitted an application on behalf of the applicant and property owner, Catellus Development Corporation, to vacate two slivers of excess right-of-way at the southerly and easterly corners of the intersection of Curie Street and Pacific Commons Boulevard as shown on Exhibit "A", consisting of an aggregate 870± square feet. These portions of roadway right-of-way were dedicated by the subdivision map entitled "Tract No. 7472" in Book 275 of Maps at Pages 32-42, Alameda County Official Records. The vacation is requested to dispose excess right-of-way not needed for the construction Pacific Commons Boulevard between Curie Street and the future Bunche Drive. This new urban roadway segment will be constructed through the heart of the new retail/entertainment district of Pacific Commons, Planning Area 5 ("The Block"), which the Council approved in November 2010.

DISCUSSION/ANALYSIS: Subsection (a) of Section 8334 of the California Streets and Highways Code allows a summary vacation of excess right-of-way of a street not required for street purposes. Staff has determined that these small portions of right-of-way at the southerly and easterly corners of the Curie Street and Pacific Commons Boulevard intersection are excess and no longer needed for roadway purposes. The existing condition of the excess right-of-way is bare dirt with limited paving. It abuts undeveloped land to the south owned by the applicant.

During the planning stages for The Block, staff recommended and the Council approved an urban street design that reflects the characteristics of a contemporary urban street serving the retail area. The unique roadway design focuses on creating an intimate, pedestrian-scaled environment. The public street will be composed of two-way travel lanes and angled on-street parking with wide enriched sidewalks. The small portions of right-of-way proposed for vacation are not needed now or in the future as the remaining public right-of-way is sufficient for the completion of the roadway.

Staff anticipates that commencement of street improvements should occur in the late spring of this year.

Utilities: There are no known existing utilities located within the excess right-of-way areas proposed for vacation. As a matter of procedure, utility agencies were notified of the proposed vacation. At the time of the writing of this report, no opposition has been received that the vacation would adversely impact or require the relocation of any existing utilities. No area within the portions of the street to be vacated need to be reserved for future utility purposes because there is adequate space in the remaining public right-of-way to accommodate future utility installation.

General Plan Conformance: In accordance with October 1997 Council Resolution 9216, and Government Code section 65402, this vacation of excess street right-of-way is exempt from the requirement that the Planning Commission report to the Council as to its consistency with the General Plan because it is minor in nature and is disposition of two insignificant slivers of excess right-of-way as a result of a street realignment project.

The proposed vacation of excess right-of-way is consistent with General Plan Transportation Goal 1: Efficient use of roadway system to provide convenient travel, reduce congestion, and improve air quality. The vacation of the excess and unneeded right-of-way would not result in any impacts on roadway capacity or operation of adjacent streets.

The areas to be vacated are not useful for nonmotorized transportation facilities because they lie outside of the improved street and sidewalk areas.

Disposition: Once the vacation is effective, the vacated area will no longer be burdened by the public right-of-way easement.

FISCAL IMPACT: Not applicable.

ENVIRONMENTAL REVIEW: The proposed summary vacation is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations.

PUBLIC NOTICE AND COMMENT: Not applicable. State law does not require notification of public hearings for proposed summary vacations.

ENCLOSURES:

- [Draft Resolution](#)
- [Exhibit “A” – Plat and Legal Description of Proposed Summary Vacation](#)

RECOMMENDATION:

1. Hold public hearing;
2. Find that Summary Vacation PLN2011-00160 is exempt from the California Environmental Quality Act per CEQA Guideline 15305, in that the vacation is considered a minor alteration in land use limitations which does not result in any land use or density changes;
3. Find that Summary Vacation PLN2011-00160 as depicted in Exhibit “A” fulfills the applicable criteria for summary vacation for the reasons stated in the body of this staff report; and
4. Adopt a Resolution including the findings referenced above and vacating the excess right-of-way as depicted and described in Exhibit “A”.

5. Direct the City Clerk to record the Resolution of Vacation with the Alameda County Recorder and return one copy of the recorded Resolution to the Planning Division and Engineering Division for their respective files.

***2.5 APPROVE A CONTRACT WITH FIELDTURFUSA, INC., TO PURCHASE AND INSTALL SYNTHETIC TURF MATERIAL FOR THE CENTERVILLE BALLFIELD SYNTHETIC TURF PROJECT**

Approve and Authorize the City Manager to Execute a Contract With FieldTurfUSA to Purchase and Install Synthetic Turf Material through the Existing California Multiple Award Schedule (CMAS) Agreement Between the State of California and FieldTurfUSA Inc., for the Centerville Ballfield Synthetic Turf Conversion Project, 8717 (PWC)

Contact Person:

Name:	Mark Mennucci	Roger Ravenstad
Title:	Associate Landscape Architect	Senior Landscape Architect
Dept.:	Community Services	Community Services
Phone:	510-494-4530	510-494-4723
E-Mail:	mmennucci@fremont.gov	rravenstad@fremont.gov

EXECUTIVE SUMMARY: The City has obtained a quote from FieldTurfUSA, Inc., to purchase, install, and maintain synthetic turf material at the Centerville Ballfield in the amount of \$344,441. Under the proposed contract, FieldTurfUSA will deliver and install the turf material, and perform annual maintenance to the field one time per year, for eight years. The contract amount also includes taxes, performance and payment bonds, insurance, grooming and maintenance equipment, field warranty, a 1.9% State fee, and a 10% contingency for unforeseen conditions. The cost is based on fees negotiated and agreed upon as part of the California Multiple Award Schedule (CMAS) contract between FieldTurfUSA and the State of California. Public Contract Code Sections 10298 and 10299 authorize local governments to use CMAS contracts for goods and services without additional competitive bidding. All site work, sub-grade preparation, and drainage will be done under separate contract scheduled for public bid by the City. Staff recommends the City Council authorize the City Manager to enter into an agreement with FieldTurfUSA to purchase and install synthetic turf material under the terms of the CMAS contract #4-06-78-0031A, between FieldTurfUSA and the State of California, for a total cost of \$344,441.

BACKGROUND: The Centerville Ballfield Synthetic Turf Conversion project is scheduled for bid in late April 2011. This work will include the removal of existing site facilities; site grading to improve drainage; installation of subsurface drainage trenches to capture subsurface runoff and infiltrate into the sub-grade, in accordance with National Pollution Discharge and Elimination System (NPDES) requirements; storm drain system improvements; pervious subbase and leveling course to support the synthetic turf field; synthetic turf field with a rubber and sand infill (through CMAS); perimeter concrete band and chain link fence; new backstop; accessible dugouts; concrete paving; irrigation adjustment and upgrades; tree planting; upgraded sports field lighting to meet industry standards for nighttime play; and improved pedestrian and parking lot lighting. Should the City Council approve the CMAS agreement to purchase synthetic turf, performance of the City site work contract will be coordinated with performance of the CMAS field turf contract.

The Centerville Ballfield Synthetic Turf Conversion is funded with \$2,010,000 of Park Development Impact Fees. This project replaces the existing natural turf with a synthetic turf surface, reducing maintenance costs and the need for repair of damaged turf caused by intensive use of the field by

baseball, softball, football, and other sporting events. Additionally, an all-weather, synthetic turf allows for year-round field rentals, thereby increasing use and revenue (approximately four times greater than that of a natural grass field).

Public Contract Code sections 10298 and 10299 authorize the City to utilize CMAS agreements to purchase goods and services, including incidental public works components, such as installation work, without competitive bidding. The City's purchasing ordinance allows the City to enter into an agreement based on the terms of an existing contract between the vendor and another public agency without a competitive solicitation when the City Manager makes determinations as set forth in Fremont Municipal Code (FMC) section 2-9702, including that use of the agreement is consistent with the purposes and goals of the purchasing code as set forth in FMC section 2-9102.

Utilizing the CMAS contract is consistent with the purposes and goals of the purchasing code as set forth in FMC section 2-9102. The CMAS contracts are structured to comply with California procurement codes, guidelines, and policies. Purchasing synthetic turf materials and installation under the terms of the CMAS contract between FieldTurfUSA, Inc., and the State allows the City to select a desired product and alleviate uncertainty and confusion during construction, while securing the best product at the lowest possible price. Staff has solicited quotations from several vendors, and FieldTurfUSA has provided the City with the most cost effective offer. A separate general contractor, selected through a City competitive bid process, and will be responsible for completing all other site work, such as excavation, grading, irrigation, concrete, and coordinate and oversee the turf installation with FieldTurfUSA, Inc.

The participation and purchase of synthetic turf material through the CMAS contract includes materials, delivery and installation, taxes, payment and performance bonds, insurance, grooming and maintenance equipment, third-party insured warranty, and a maintenance contract for eight (8) annual visits. The City must pay an administrative fee of approximately \$5,782, or 1.9% of the purchase price, to the State of California, Department of General Services (DGS) for using CMAS.

The third-party insured warranty is an A.M. Best AAA rated, non-prorated, pre-paid warranty, held by Chubb Insurance, with an aggregate claim maximum of \$10,000,000 per year. The warranty is pre-paid for eight years.

Field Turf Maintenance: Although FieldTurfUSA, Inc. included maintenance in its quotation, a separate no cost maintenance agreement will be needed for this work. This is because FieldTurfUSA manages field maintenance contracts for fields purchased and installed under the CMAS contract through a separate division with a program known as FieldCare. However, FieldCare is not a CMAS item, so a separate contract for maintenance on the Centerville field, and any other turf field, will need to be executed.

Included in the quotation for providing synthetic turf for Centerville, FieldTurfUSA proposed a typical maintenance contract, which consists of an eight year contract, one field visit per year, which covers the eight-year warranty period. FieldTurf will also include maintenance visits one time per year to the Irvington Ballfield for the remaining years of its warranty. These services per the quotation are valued at \$4,000 per year, per field for a total value of approximately \$48,000. However, FieldTurf USA has offered these maintenance services for Centerville and Irvington for no cost.

The scope of work for the maintenance contract includes the following:

1. A general sweeping to remove foreign objects such as dirt, leaves, bird droppings, gum and other debris that may collect on the field surface.
2. A deep groom, sweep and rejuvenation to de-compact infill and in an effort to maintain appropriate G-Max levels.
3. Overall analysis and inspection of the field and its applicable systems, including fiber wear analysis, ultraviolet degradation, infill depth and consistency, infill migration, field edging attachments, sewn and glued seams, line verification and field inserts (inlays).
4. Minor repairs (sewing/adhesive failures, inlay separation, and general workmanship) as needed, of items found relating to the synthetic surface.

Parks Maintenance: Parks Maintenance includes this facility in its regular maintenance schedule. Landscape Architecture staff has worked closely with the Park Maintenance staff during design development to reduce site maintenance efforts through the implementation of the following improvements:

- Play field surfacing change from natural turf to synthetic turf will result in reduced maintenance to repair the impacted lawn;
- An improved drainage system will convey water more adequately, improve maintenance access to the system for yearly cleaning and removal of debris, and prevent the back-up of storm water run-off;
- Upgrade to energy efficient lighting will improve play at night, reduce glare, and lower electricity costs;
- Synthetic turf will eliminate the need for mowing, weeding, fertilization, aeration, irrigation repair, re-seeding of the 65,000 square foot playing field, and controlling rodents;
- Elimination of the clay infield will eliminate the need for routine raking of the infield.

Staff estimates that the conversion of the Centerville Ballfield facility to synthetic turf will save approximately 1,492,195 gallons of irrigation water per year; reduce the use of fertilizers on the field by 150 pounds per year; eliminate the need for rodent eradication; eliminate the need for weed abatement spraying within the field; and reduce the need for weekly mowing and edging. Time savings to maintenance personnel is the approximate equivalent of one employee for three weeks of full time labor, and two-thirds of the material cost required to maintain natural turf. The time, labor and material cost saved at the Centerville Ballfield can be directed to other park maintenance needs.

Project Budget and Funding: City Council allocated \$2,010,000 of Park Development Impact Fees to the project in the 2009/10-2013/14 Capital Improvement Program budget.

1. Total funds appropriated to the project:

540 Park Facilities Development Impact Fees	\$2,010,000
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2. Project Expenses to Date:

Project Management and design	\$136,000
Electrical and Geotechnical Consultants	\$46,900
Subtotal	\$182,900

3. Remaining Planned Expenditures (For Construction):

Construction Bid (Estimated) (Rounded to nearest dollar)	\$987,000
<u>Construction Administration (Estimated)</u>	<u>\$147,970</u>
Subtotal	\$1,134,970

4. Remaining Planned Expenditures through CMAS (**Subject Of This Report**):

Synthetic turf purchase (Subject of This Report)	\$307,289
CMAS Fee (Subject of This Report)	\$5,782
<u>10% Contingency (Subject of This Report)</u>	<u>\$30,729</u>
Subtotal	\$343,800

5. **Project Contingency/Funds Remaining (Estimated)** **\$348,330**

Environmental Review: The project is categorically exempt as a Class 1 facility (Replacement and Reconstruction of Existing Facilities) under Section 15302 of the Guidelines of the California Environmental Quality Act. A notice will be filed upon award of the construction contract to a general contractor.

ENCLOSURE: None.

RECOMMENDATION:

1. Approve the plans and specifications, and authorize the City Manager to enter into an Agreement with FieldTurfUSA, Inc., and authorize the City Manager or designee to execute a contract through CMAS contract #4-06-78-0031A, between the State of California and FieldTurfUSA, Inc., for \$307,289, plus a 10% construction contingency of \$30,729 for unforeseen conditions, for a total potential contract amount of \$338,018.
2. Authorize the City Manager or designee to pay an administrative fee of up to \$6,423, which equals 1.9% of the final purchase price, to the State of California, Department of General Services (DGS) for using CMAS.
3. Authorize the City Manager or designee to execute an agreement for maintenance services at Centerville Ballfield and Irvington Ballfield for no additional charge, with FieldTurfUSA's FieldCare Division.

***2.6 SILICON VALLEY BERRYESSA BART EXTENSION (SVBX) PROJECT AGREEMENT**

Approval of a Comprehensive Agreement with the Santa Clara Valley Transportation Authority (VTA) Covering the Construction of the SVBX Project

Contact Person:

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Executive Summary: The VTA SVBX will be a fully funded extension of BART from the end of the Warm Springs extension to a new station in the Berryessa district in San Jose when VTA receives the full funding grant agreement from the Federal Transit Administration (FTA) which is expected this summer. Fremont has already entered into agreements with VTA for the construction of grade separations at Kato Road and Warren Avenue to accommodate SVBX crossings at those streets. Those grade separations are on schedule for the Kato Grade Separation to go to bid later this year, and the Warren Grade Separation to go to bid in 2012. This Comprehensive Agreement addresses Fremont's participation in a design-build contract for the construction of the remaining elements of the BART extension between the BART Warm Springs station and the Santa Clara County line. The agreement is designed to ensure community impacts are kept to a minimum during construction and the City's infrastructure is returned in an appropriate state of repair when the project is completed.

The Comprehensive Agreement identifies the City's role in reviewing plan preparation and project construction. The agreement also defines VTA's responsibility to repair City infrastructure impacted by project construction. VTA will reimburse the City for staff charges associated with review of project plans and monitoring construction impacts on City infrastructure.

Staff recommends the City Council authorize the City Manager or his designee to execute a Comprehensive Agreement with VTA for the SVBX Project. Further, as amendments may be required from time to time to further define roles and responsibilities, staff recommends the Council authorize the City Manager or his designee to approve amendments to the Comprehensive Agreement provided that the amendments do not have a negative fiscal impact on the City.

BACKGROUND: VTA expects the SVBX to be fully funded by summer 2011. VTA prepared bid documents for a design-build contract that was advertised on March 25, 2011. The contract is scheduled to be awarded in November 2011. Project construction is scheduled for completion in fall 2018.

The greatest impact of the SVBX project to City infrastructure will occur where the project crosses Warren Avenue and Kato Road. The City has previously entered into separate agreements with VTA for these two crossings. In addition to these two crossings, the SVBX project will also involve track construction and noise and vibration mitigation between the end of the Warm Springs extension and the City limit. City review of the SVBX plans will focus on infrastructure impacts, storm water management, fire protection, aesthetic treatment of wayside buildings, and noise and vibration

mitigation measures. City staff will inspect all construction affecting City infrastructure and will monitor construction impacts on City streets and other City infrastructure. To make sure that these City activities are properly identified and agreed upon in advance, City and VTA staffs have prepared a “Comprehensive Agreement” relating to the SVBX Project. The Agreement discusses City and VTA roles and responsibilities, construction standards, and cost reimbursement for various elements of the work.

DISCUSSION/ANALYSIS: The potential impacts to the City of constructing the SVBX Project (other than the impacts at the Warren Avenue and Kato Road crossings) are associated with constructing the BART tracks and wayside facilities along the old UPRR right of way now owned by VTA. Although the impacts to the City’s infrastructure of this construction are expected to be relatively minor it is important that the possible impacts be identified, construction standards accepted, and the roles and responsibilities for resolving any impacts agreed upon in advance. Therefore, City and VTA staff have prepared a Comprehensive Agreement relating to the SVBX Project construction within Fremont.

Among other things, the Comprehensive Agreement covers the following specific issues:

1. Construction Standards: The Agreement requires VTA to ensure that all work affecting City infrastructure is performed in accordance with the applicable City standards, specifications and ordinances in effect at the time of advertisement of the contract.
2. City Review of SVBX Project Plans and Specifications: The City has the right to review and approve the plans and specifications that pertain to City infrastructure impacted by the project. The agreement provides for reimbursement of City review costs starting in January 2011.
3. Permits: The Agreement calls for the City to issue any and all required encroachment permits or other permits to VTA or its contractors at no cost other than the City’s actual cost incurred for administering the permit.
4. Inspection of City Infrastructure by City: The Agreement calls for the City to provide timely inspections of project construction affecting City infrastructure in order to meet VTA’s construction schedule. VTA will reimburse the City for the actual cost of inspection services.
5. Construction Impacts to City Infrastructure Other Than City Streets: Prior to commencing construction, VTA will perform pre-construction surveys to establish the pre-construction conditions of the City’s infrastructure. After the contract is complete, VTA will perform a post-construction survey of the City infrastructure and will repair and/or reconstruct all City infrastructure to a condition at least equal to the pre-construction condition and in accordance with City standards, specifications and ordinances.
6. Construction Impacts to City Streets: For City streets that are impacted either directly by SVBX construction or as a result of their heavy use by SVBX construction vehicles, VTA will perform a pre-construction analysis to determine the Pavement Condition Index (PCI) of each street segment using the Metropolitan Transportation Commission’s (MTC) Pavement Management System Users Guide. After construction has been completed, VTA will again determine the PCI of each street segment, and the City and VTA will determine the improvements required to bring the streets back to at least the original PCI using the same MTC Guide. The costs for such work will also be mutually determined and VTA will pay the City the current construction costs to have the streets repaired. The street repairs will then be included in the next pavement maintenance contracts issued by the City.

7. Reimbursement of City Costs: Reimbursement of City costs for performing plan reviews, inspections, attending meetings requested by VTA or any other element of SVBX work for which VTA requests the City's participation will be based on estimates prepared by the City for such work and accepted by VTA. VTA will then issue a "Work Authorization" allowing the City to invoice VTA for the work the City has performed.
8. Coordination with City Police and Fire Departments: The Agreement spells out in general terms the responsibilities and coordination between VTA and the City with regard to Police and Fire Department operations during VTA construction and a training plan for applicable employees and emergency responders.
9. Public Outreach: The Agreement describes VTA's public outreach efforts, including its community relations staff, signage, website and telephone access, as well as VTA's complaint handling procedures.
10. Miscellaneous: In addition to the above items, and as further described in the Enclosed Draft Agreement, the Agreement covers other topics, such as work hours; site security; allowing the City to use any excess right-of-way to construct a future bike path adjacent to the BART alignment between the Warm Springs Station and the Milpitas city limits; and dispute resolution, indemnification, warranties, insurance, etc.

During the construction of the SVBX Project it may be necessary, from time to time, to modify the Comprehensive Agreement to define additional aspects of the relationship between VTA and the City that are not fully covered in the current Agreement. Therefore, staff is requesting that the Council authorize the City Manager or his designee to approve future amendments to this Agreement, if needed, provided that the amendments do not have a negative fiscal impact upon the City.

VTA will soon be submitting this Agreement as part of documentation required to allow the FTA to execute the Full Funding Grant Agreement to provide the federal funds needed to complete the project. To stay on schedule, VTA needs to have this Comprehensive Agreement executed by May 1, 2011. Staff recommends the Council authorize the City Manager or his designee to approve the Comprehensive Agreement between VTA and the City relating to the Silicon Valley Berryessa BART Extension.

FISCAL IMPACT: The Comprehensive Agreement calls for VTA to reimburse the City for any staff time required as part of the construction of the SVBX Project in Fremont.

ENVIRONMENTAL REVIEW: VTA has received both NEPA and CEQA environmental approvals for the SVBX Project.

ENCLOSURE: None

RECOMMENDATION: Staff recommends the Council authorize the City Manager or his designee to execute a Comprehensive Agreement with the Santa Clara Valley Transportation Authority (VTA) relating to the Silicon Valley Berryessa BART Extension Project (SVBX) as described herein; and execute amendments to the Agreement, if required, provided the amendments do not have a negative fiscal impact upon the City.

***2.7 SERVICE AGREEMENT WITH SYSCO SAN FRANCISCO INC., FOR PURCHASE OF FOOD SERVICE SUPPLIES AND DELIVERY TO AQUA ADVENTURE WATERPARK**
Authorize the City Manager or his Designee to Enter into a Service Agreement with Sysco San Francisco Inc., not to exceed \$100,000 per Year

Contact Person:

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Dept.:	Community Services	Community Services
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Executive Summary: The purpose of this report is to recommend that the City Council authorize the City Manager or his designee to approve a service agreement in a not-to-exceed amount of \$100,000 per year, for food product and supplies used at Aqua Adventure Waterpark. Sysco also entered into a service agreement this year to provide services to the City of Fremont Senior Center, and the combined agreements exceed \$100,000, thus requiring Council's approval.

BACKGROUND: The City of Fremont Aqua Adventure Waterpark opened in May 2009 and served 140,000 guests during the first two seasons. The park consists of waterplay structures, slides, pools, gift shop and a grill style walk-up food outlet. The grill offers a variety of food options for waterpark guests and staff. All food products are purchased and received from Sysco, prepared, packaged and sold to waterpark guests through the walk-up food outlet or group catering. The waterpark employs in excess of 100 seasonal employees, gives local families a clean, fun, and healthy summertime location to enjoy, and offers community partnered sponsorships and low income family scholarships.

Sysco has been Aqua Adventure's food service product vendor since the park opened. The service agreement with Sysco expired in October 2010, after completion of the second season.

DISCUSSION/ANALYSIS: RFP#11-002 was issued on December 8, 2010, and after reviewing the submitted bids, Sysco San Francisco Inc., (based in Fremont) was chosen on February 28, 2011. The selection process took into account pricing, company location and service. Sysco came in at the lowest cost, is located in Fremont and has provided satisfactory service for the past two waterpark seasons.

In 2010, Aqua Adventure spent \$56,000 with Sysco, which generated \$192,000 in revenue through concession and in-park catering sales. In 2011, the Aqua Adventure staff is expanding catering services into Central Park for the group picnic areas. The not to exceed amount of \$100,000 will allow staff the opportunity to expand catering services while still having enough flexibility to allow for additional purchases if Fremont experiences a hot summer, which leads to increased attendance, and as a result additional food product purchases and additional revenue. The term of the agreement is for one (1) year, with two additional one (1) year options.

FISCAL IMPACT: Aqua Adventure resells the items purchased from Sysco so all expenses are recovered by the revenue generated from the food service operation.

ENVIRONMENTAL REVIEW: NA

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager or designee to enter into a service agreement with Sysco San Francisco Inc., in an amount not to exceed \$100,000 per year to provide food service supplies and delivery to Aqua Adventure Waterpark for a one year term with the option for up to two additional one year terms.

5.1 DRISCOLL ROAD HOMES (ALSO KNOWN AS THE ADVENTIST/ROBSON SUBDIVISION) – 225 DRISCOLL ROAD

Public Hearing (Published Notice) to Consider a Preliminary & Precise Planned District (P-2010-280), Preliminary Grading Plan, Private Street, and Vesting Tentative Tract Map 8052 to Develop a 9-lot Single-Family Residential Subdivision on a Vacant Portion of the Seventh-Day Adventist Church Property (PLN2010-00280)

Contact Person:

Name:	Stephen Kowalski	Jeff Schwob
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Dept.:	Community Development	Community Development
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Executive Summary: The applicant is requesting approval of a nine-lot single family residential development located on a vacant 2.17-acre portion of a 5.0-acre parcel containing the Seventh-Day Adventist Church. The proposed development requires approval of a rezoning to a Planned District, and a Vesting Tentative Tract Map, Preliminary Grading Plan and Private Street for the area to be developed with the nine homes. The church property will be included within the Planned District (PD) and will be allowed to continue operating under its previously approved Conditional Use Permit. Staff recommends that the City Council introduce an ordinance rezoning the subject property and adopting the Preliminary and Precise Planned District as shown in Exhibit “C”, and approve the Vesting Tentative Tract Map, Private Street and Preliminary Grading Plan as shown in Exhibit “D”, based on the findings and subject to the conditions of approval contained in Exhibit “F”. The Planning Commission voted 7-0 to recommend the project consistent with staff recommendations, including a private street design with future access to the adjacent property at 151 Driscoll Road.

BACKGROUND: The subject property was used as an orchard from as early as the 1930’s through the early 1980’s, with the farmhouse being located where the present-day church now sits. On April 12, 1984, the Planning Commission approved Conditional Use Permit U-84-9 allowing the Northern California Conference Association of Seventh-Day Adventists to construct a religious facility with an associated parochial school on the property. Construction of the facility was eventually completed in 1987, and the property has been used for religious and educational purposes by the Seventh-Day Adventists ever since.

DISCUSSION/ANALYSIS:

Project Description: The applicant proposes to rezone a 5.0-acre parcel to a new PD in order to develop a 9-lot single-family residential subdivision on the vacant portion of the property. The project would feature nine parcels ranging in size from 8,007 to 11,079 square feet accessed via a new private street leading from Driscoll Road along the eastern side of the Seventh Day Adventist Church (hereafter referred to as “La Rosa Terrace”), and ending in a cul-de-sac behind the church. The portion of the private street crossing the remainder church property would be designated as an easement for the use of the residents and church, while the cul-de-sac itself will be a separate parcel under the ownership of the subdivision’s Homeowners Association (HOA). The proposal features two-story house plans ranging in

size from 4,052 to 4,326 square feet with 4-6 bedrooms each, with the largest house plan having an optional 7th bedroom. Three-car garages would be provided for all nine homes.

The units will be oriented toward the private street and will each have their own curb cut and driveway. Due to its irregular shape caused by the bulb at the end of the cul-de-sac, Lot 3 is proposed to have a detached garage with a 1-bedroom guest house on a 2nd floor over the garage. All of the other units would feature attached garages. Yard sizes on each lot would be relatively uniform, with 20-25 foot front setbacks, 25-foot rear setbacks, and 8-10 foot side setbacks on most parcels except those fronting along the cul-de-sac bulb. The PD includes deviations for front and rear yard setbacks for the dwelling units, accessory structure height and setbacks for the detached garage and guest house, and side yard setbacks for the existing church building. There are 8 existing Coast Live Oak trees on site that would be preserved in the rear yards of Lots 5 and 6. Lots 4 and 5 fronting the cul-de-sac bulb would both have permanent on-site bio-retention areas for stormwater treatment. All other stormwater treatment would occur through tree well filters located within the private street.

As part of the project, the applicant would be required to construct a new curb cut with accessible curb ramps and sidewalks at the entrance to the private street from Driscoll Road. The existing driveway from Driscoll Road into the church would be removed and replaced with a new entrance directly off of the private street. The developer will also make modifications to the church parking lot to accommodate this new access point. The proposed private street features monolithic (attached) sidewalks along both sides of the cul-de-sac, and a monolithic sidewalk along one side of the street with street trees and tree well stormwater filters provided in bulb-out planters adjacent to the church. The opposite side of the street alongside the church will feature landscaping and a curb and gutter to channel stormwater into the storm drain system, but no sidewalk or street tree bulb-outs. Staff has included a condition of approval requiring the granting of a reciprocal access easement for the benefit of the adjacent property at 151 Driscoll Road along the flagpole portion of the private street to enable future development on that property to share access to Driscoll via the private street.

General Plan Conformance: The existing General Plan land use designation for the project site is Low Density Residential 3-5 Dwelling Units per Acre. The proposed density of the project is 4.15 units per acre, consistent with the prescribed density of the General Plan. In addition, the proposal is consistent with the following goals of the Land Use, Health and Safety, and Housing Elements of the General Plan:

Land Use Goal 1: New housing development while conserving the character of the City's existing single-family residential neighborhoods.

Housing Element Goal 2: Ensure the availability of high quality, well-designed and environmentally sustainable new housing of all types throughout the City.

Housing Element Goal 3: Encourage the development of affordable and market-rate housing in order to meet the City's assigned share of the regional housing need.

Transportation Policy T 1.2.2: Limit access to parkways and arterials to maintain capacity, efficiency, and safety of traffic flow.

Analysis: The project makes use of vacant property located within an area zoned for single-family residential development, and features single-family lots similar in size to the existing parcels abutting the project site to the north and east. The homes would be between 1,000-2,000 square feet larger than the abutting homes to accommodate larger and/or extended families, but would be of similar height and feature ample rear yards with 25-foot ground-floor setbacks and 30-foot setbacks on the second floor. The homes will be subject to the California Green Building Code during the building permit approval process. The proposed height and mass of the units are similar in scale to the existing homes abutting the property, so the project will not significantly alter the existing character of the neighborhood.

Staff's inclusion of a condition requiring the applicant to grant a reciprocal access easement to the adjacent property at 151 Driscoll Road also ensures that the project does its share to accommodate for future development on adjacent land in a manner consistent with the Transportation Chapter by providing shared access to an arterial road (Driscoll) via the private street.

Affordable Housing Ordinance: The affordable housing requirement for a 9-unit development is 1.35 units which equates to the provision of one on-site moderate income unit and payment of in-lieu fees for the remaining 0.35 fractional unit. In order to comply with the Affordable Housing Ordinance, the applicant is proposing an alternative affordable housing plan. The plan proposes the purchase of two off-site market-rate condominium units located within 1 mile of either the Fremont BART station or the Centerville Amtrak/ACE Train station for conversion to below-market-rate (BMR) units and offering them to very low income households for a price of \$89,000.00, in lieu of the standard requirement. Both units will contain 3 bedrooms. The applicant proposes to refurbish both units, spending up to \$25,000 per unit. In addition, the developer will contribute \$17,800 to a City fund for emergency repairs for the homeowners' benefit, and \$8,900 to assist with marketing and other "soft costs" associated with the sale of the units as BMR units by City staff. In the event that this proposal does not prove economical or the applicant can not find available units, the applicant would like the option of opting to pay in-lieu fees for 1.35 units in order to satisfy the requirements of the ordinance.

Analysis: Based upon the proposed average unit size of 4,229 square feet and a payment of \$18.00 per square foot (the in-lieu fee that will be in effect between 7-1-2011 and 6-30-2012 when the applicant will most likely be able to obtain building permits for the project), payment of in-lieu fees for a 9-unit residential development would amount to approximately \$685,116.00. The estimated costs for implementing the applicant's proposed plan are as follows:

Acquisition:	\$500,000 (\$250,000 for each unit)
Rehabilitation:	\$ 50,000 (\$25,000 for each unit)
Emergency funds:	\$ 17,800 (10% of proposed sales price of each unit at \$89,000)
Marketing/Sales:	\$ 8,900 (5% of proposed sales price of each unit at \$89,000)
Subtotal Cost:	\$576,700

While these dollar figures may vary, the applicant is proposing to meet very low income affordability levels in lieu of moderate-income, and the plan will result in foreclosed units being removed from the inventory of units in the marketplace, thereby helping to sustain local housing values. For these reasons, staff supports the plan as proposed.

The initial consideration for allowing the foreclosed unit option was to put people in need of affordable housing into housing in areas where services and amenities exist and access to transit can reduce the need for automobiles and their associated maintenance costs. Finally, there was a hope that taking foreclosed units off the market might reduce blight in neighborhoods where foreclosures were frequent. This may be possible in some instances where single-family homes are purchased, but it is less likely in condominium developments wherein a homeowner's association typically maintains common grounds, parking facilities, and building exteriors.

Green Building Practices: As a new residential project, the proposal is required to either achieve a minimum of 50 points on the Build-It-Green checklist or be built in compliance with the Tier 1 standards of the California Green Building Code. Staff will ensure compliance with this requirement during the building permit review process.

Zoning Ordinance Compliance: The subject property is currently zoned R-1-10, Single-Family Residence, a designation that typically accommodates the lower end of the General Plan density range. The applicant is proposing to rezone the property as a new Preliminary and Precise Planned District for 9 single-family dwelling units at a density of 4.15 Dwelling Units per Acre consistent with the density prescribed by the General Plan.

Building/Site Design: The project has been designed in a manner most closely resembling the R-1-8, Single-Family Residence zoning designation in order to be consistent in size and scale with the adjacent homes abutting the project site to the north comprising a 1976 PD that also has an underlying zoning of R-1-8. The following table shows how the proposal conforms to the development standards for new residential development in the R-1-8 zone:

<i>Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Complies?</i>
Minimum Lot Size	8,000 sq. ft.	min. 8,007 sq. ft.	Complies
Minimum Lot Width	70 feet	min. 80 feet	Complies
Minimum Lot Depth	100 feet	min. 100 feet	Complies
Front Yard Setback	25 feet	min. 12 feet on two irregular lots, all others 25 feet	Five lots do not comply, the other three comply
Rear Yard Setback	30 feet	min. 20 feet on one irregular lot, all others 25 feet	None of the lots comply
Interior Side Yard Setback	8 feet	8 feet	Complies
Street Side Yard Setback	12½ feet	15 feet	Complies
Primary Structure Height	30 feet	max. 25 feet 4 inches	Complies
Accessory Structure Height	12 feet	23 feet 4 inches	Does not comply
Secondary Unit Rear Setback	30 feet	3 feet	Does not comply
Religious Facility Side Yard Setback	25 feet	No setback	Does not comply

As this table shows, the project varies from five of the applicable R-1-8 standards: (a) front yard setback; (b) rear yard setback; (c) accessory structure height limit for the two-story detached garage and guest house proposed on Lot 3; (d) rear yard setback for a secondary unit; and (e) side yard setback for a religious facility. Adoption of the proposed Precise Site Plan as part of the PD approval would enable these variations as long as the decision-making body finds that the precise plan fosters a desirable residential neighborhood environment while still meeting the intent of the City's standards.

Staff supports the proposed variations to the front setback requirement on the grounds that allowing the reduced front yards would provide for ample usable private outdoor open space in the rear yards of each lot. The front yards are relatively consistent along the cul-de-sac and will maintain a single-family residential character throughout the development despite their slight reductions. Staff also supports the variations to the rear yard setback requirement on the grounds that they would enable the applicant to provide a standard-width street with on-street parking and sidewalks on both sides to provide a safe environment for pedestrians and convenience for visitors who drive to the subdivision, as no on-street parking currently exists along the adjacent stretch of Driscoll Road. It should also be noted that the first floors of each house backing up to the existing homes behind the subdivision along Jacaranda Drive comply with the 25-foot single-story setback of the R-1-8 zone while the second floors comply with the 30-foot setback for two-story homes.

Allowing a two-story accessory structure in its proposed location on Lot 3 with only a 3-foot side and rear setback would in this case not adversely impact the privacy of any neighboring properties to the rear in that the land behind the lot would remain under the church's ownership and continue to be used as surplus parking by the church. The property next-door to the structure (Lot 4) would feature an extra-wide side yard to accommodate a 20-foot wide water line easement as well as a bio-retention area for stormwater treatment; therefore, the proposed 3-foot side yard setback for the structure would not adversely impact the privacy of Lot 4's occupants either.

While the applicant is not currently proposing to equip the 2nd floor guest house with a kitchen and market it is as a secondary dwelling unit, in an effort to preclude an illegal conversion of the unit by a future property owner staff has included a condition of approval allowing it to have a kitchen and be used as a secondary unit. Second-floor secondary dwelling units are subject to the same rear yard setback as the main house; therefore the unit would need to have a 30-foot setback. However, staff supports the proposed variation on the same grounds as those opined for the height limit variation: allowing a second-floor secondary unit at the proposed location within the rear yard setback would not adversely impact the adjacent property in that the land behind the unit would remain under the church's ownership and only be used for surplus parking.

Finally, staff supports the reduced setback for the church building from the proposed private street because it will still remain separated from the adjacent property by the same distance as the existing condition (approximately 40 feet), while leaving adequate room for a full two-lane street and sidewalk on the property. Furthermore, the property currently does not afford any other locations for access to the area being subdivided because the church's various improvements, coupled with a number of existing easements benefiting some neighboring parcels, effectively block off the home sites from Driscoll Road. As such, the proposed location of the private street is the most feasible location to provide access despite its proximity to the existing building.

Parking: Parking for the project would comply with (and, on some of the lots, exceed) the minimum requirements for new single-family residential development with each unit containing a 3-car garage. On-street parking for guests will also be provided on both sides of the street fronting the lots, and along the western side of the street alongside the existing church.

Design Analysis:

Site Planning: The proposed subdivision design takes access via a private cul-de-sac located off Driscoll Road with the units constructed in two parallel rows fronting along both sides of the street. Lots 1-3 and 6-9 will have their homes oriented toward the street, while Lots 4 and 5 at the end of the cul-de-sac will have their homes siding along the street. Each home will have its own curb cut and driveway. Guest parking is provided in front of the units along both sides of the street, as well as along the entry drive to the subdivision on the side of the street closest to the church.

Architecture: The single-family homes feature three different floor plans. The architectural style of the project is Spanish Colonial Revival, with elements such as low-pitched hip and gabled red tile roofs and smooth stucco siding, and the use of decorative exterior detailing, including wood window shutters, decorative metal grillwork and balcony railings, and arched portico porch covers. Staff will work with the developer during building permit stage to achieve a comprehensive final colors/materials palette for the project.

Open Space/Landscaping: With the exception of Lot 3, all of the lots would be provided a minimum of 2,000 square feet of private outdoor space in the rear yard. Because of its odd shape resulting from its location along the cul-de-sac knuckle, Lot 3 would only have a $\pm 1,750$ square foot rear yard. Landscaping would be provided in the front yard of each lot, with an assortment of drought-tolerant plants, various-sized trees, and small patches of lawn on each parcel. Street trees would be provided in bulb-outs located along the entry drive into the subdivision, with additional low-water plants provided along both sides of the drive. Homeowners would be able to landscape their individual rear yards as they please, except on Lot 6 where an existing grove of Coast Live Oak trees will be preserved and incorporated into the backyard planting plan prepared by the applicant's Landscape Architect and executed by the developer in advance of the sale of the lot.

Tree Preservation: An arborist report prepared for the project site by HortScience, Inc. in April 2007 evaluated a total of 43 trees. Eleven of the trees are located off-site on an adjacent property and were determined to be in good to moderate condition. All eleven of these trees will be preserved. Eight of the on-site trees surveyed are remnant orchard trees in poor condition, and are not regulated by the City's Tree Preservation Ordinance. Two of the Native Coast Live Oak trees on the site are in good condition while six are in moderate condition. The proposal allows for the successful preservation of all eight of these trees; however, the trees are all of similar size and tightly grouped, and are competing with one another for adequate light and space. The applicant shall only be required to preserve two of these trees as part of the project. The two trees are located on Lot 6 and will be required to be incorporated into a landscape plan for that lot which will be subject to approval by the City Landscape Architect prior to issuance of a building permit for the lot. Prior to the development of both Lots 5 and 6, an arborist will be required to be retained to further evaluate and guide pruning and/or removal of the trees rated as moderate in order to create a healthy environment for the trees in good condition.

The condition of the remaining trees on the site was predominantly poor (66%) and moderate (25%), with only one other tree rated as good. The applicant is proposing to remove 12 private, protected trees. Of these twelve, eight have poor and three have moderate suitability for preservation. The remaining tree has good suitability for preservation. The removal of these 12 trees will not adversely affect the appearance of the property and is necessary to allow construction of the subdivision. The applicant will be required to comply with the Tree Preservation Ordinance's mitigation requirement for the loss of the 12 trees by planting a combination of twelve 24-inch and 36-inch box trees in addition to the 16 required 24-inch box street trees being planted along La Rosa Terrace.

Site Circulation: Vehicular access to the project would be provided via a private cul-de-sac (proposed to be named "La Rosa Terrace") running alongside the existing church and connecting to Driscoll Road. The "flagpole" portion of the street would consist of an access easement across the church's property for the benefit of the residents and church members, while the cul-de-sac portion would be a separate parcel owned and maintained by the HOA. The cul-de-sac features sidewalks along both sides of the street where the homes would be located, and a single sidewalk along the side of the street adjacent to the church to provide direct pedestrian access from the subdivision to Driscoll Road. The garages of each unit will open directly onto the private street, with each home having its own curb cut and driveway. Pedestrian access to the entrances of each unit will be provided via walkways leading from the sidewalk to the front porch.

Street Right-of-way Dedication and Improvements: The developer is required to dedicate right-of-way and install street improvements in accordance with the Subdivision Ordinance and the City's Street Right-of-way and Improvement Ordinance. However, in lieu of dedicating a conforming public street the applicant is proposing a private street with various deviations from the City's residential cul-de-sac standards. The following section outlines the street right-of-way dedication and improvement requirements for the project:

- La Rosa Terrace: On-site vehicle and pedestrian connection to Driscoll Road is provided by a Private Street identified on the plans as La Rosa Terrace. The Development Policy for Private Streets, adopted by City Council in 1984, requires that a private street serving 6 or more units have a minimum right-of-way width of 40 feet with two 12-foot wide travel lanes and two 8-foot wide sidewalk/planter combinations. As part of the Preliminary and Precise Planned District rezoning, the applicant is requesting a minor deviation to 32 ½ feet where a right-of-way width of 40 feet is required.

Analysis: A public street dedication in this case would require 54 feet of right-of-way in order to comply with the City's standard street section for a residential cul-de-sac. The proposed project cannot comply with this standard without a reduction in the number of lots because of the additional land needed to accommodate the right-of-way, and without requiring a modification alongside the church to accommodate the existing structure. By proposing a private street, the applicant is able to vary from the standards of a public street. In this case, the applicant is proposing a private street designed with two 9-foot travel lanes, two 7-foot parking lanes, and two 5 ½-foot monolithic sidewalks with curbs adjacent to the residences. For this portion of the street, the total right-of-way width is 43 feet. The portion of the street abutting the existing church is designed with two 10-foot travel lanes, one 7-foot parking lane, and a 5 ½-foot monolithic sidewalk with curb. The total right-of-way along this portion of the street is 32 ½

feet. Staff supports the proposed design because the pavement widths are generally consistent with the City-standard dimensions for minor residential street and residential cul-de-sac geometrics, and the street will be wide enough accommodate on-street parking for guests.

Grading & Drainage: The existing topography of the site slopes downward from Driscoll Road towards the back of the property. Elevations range from approximately 95 feet to 78 feet above mean sea level across the site. The grading for the site will primarily accommodate house pads for positive drainage, as well as for the private street section. Two shallow bio-retention basins are proposed for stormwater treatment. Short retaining walls ranging from 1-3 feet in height around the bio-retention basins are also proposed. The engineer estimates 5,300 cubic yards of cut and 1,200 cubic yards of fill for a total grading of 6,500 cubic yards.

An existing connection to a public storm drain facility is located at the back of the project site. The onsite storm drainage facilities will connect to the existing public storm drain inlet. Details and design of the private storm drain system will be incorporated with the improvement plans. The drainage system shall be subject to approval of the City Engineer and the Alameda County Flood Control and Water Conservation District.

Urban Runoff Clean Water Program: The Alameda Countywide National Pollution Discharge Elimination System (NPDES) Municipal Stormwater Permit requires all new development to incorporate measures to prevent pollutants from being conveyed in stormwater runoff into the public storm drain system. This project is required to comply with the NPDES permit by incorporating treatment measures into the project design.

The applicant intends to meet the stormwater treatment requirements by installing two bio-retention basins and street tree well filters within the development. Additionally, the applicant intends to comply with Hydromodification Management standards by installing 375 feet of 4' x 5' cast-in-place concrete box within the private street. In order to conform to the quantitative performance criteria of the Countywide NPDES permit, the project may be required to incorporate additional treatment control best management practices to treat stormwater runoff. The stormwater treatment design shall be integrated into the storm drain design for the project and shall be subject to review and approval of the City Engineer prior to Final Map approval.

As required by the Alameda Countywide NPDES Municipal Stormwater Permit, the property owners shall enter into a maintenance agreement for the long-term operation and maintenance of stormwater treatment measures. The agreement will require the ongoing maintenance of the designated treatment facilities. The property owners shall also integrate a sidewalk and pavement sweeping program to help prevent debris and other pollutants from entering the storm drains.

Geologic Hazards: The project site contains expansive soils and is located within an area of potential earthquake-induced liquefaction on the official Seismic Hazard Zone maps released by the California State Geologist. In accordance with the State law, the project geotechnical engineer prepared a soils report which was peer-reviewed by the City of Fremont's consultant, approved by the City, and filed with the State Geologist. The project improvements and building construction will conform to the recommendations of the seismic hazard report and peer review to ensure the safety of the structures and their occupants.

FINDINGS FOR APPROVAL:

Planned District: Pursuant to Section 8-21813 of the Municipal Code, the Planning Commission may recommend that the City Council adopt an ordinance establishing a new PD (or P district) if the following findings can be made:

- (a) The proposed P district, or a given unit thereof, can be substantially completed within four years of the establishment of the P district;
- (b) Each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts;
- (c) The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P district;
- (d) Any exceptions from standard ordinance requirements are warranted by the design and amenities incorporated into the precise site plan, in accord with adopted policy of the planning commission and city council;
- (e) The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
- (f) The P district is in conformance with the General Plan of the City of Fremont; and
- (g) Existing or proposed utility services are adequate for the population densities proposed.

Discussion:

- (a) It has been the City's experience that the design and type of the subdivision and housing product being proposed can readily be completed within four years, and this particular applicant has successfully developed many similar subdivisions in Fremont within this timeframe. There is nothing unusual about the site and no known significant environmental constraints which could cause significant delays during construction of the project.
- (b) The entire project consists of 9 detached single-family homes all sharing a single private street for vehicular access. As such, the subdivision will function as an individual, fully independent unit. Each unit will be part of an HOA which will be responsible for maintaining the street, architecture, landscaping, stormwater treatment devices, and other on-site improvements in a fully functional and aesthetically pleasing manner. In addition, the project has been designed to minimize impacts on adjacent development through the provision of landscaped setbacks and to provide an attractive street presence by orienting the front entrances of the units toward the private street. The project will also provide access to the existing church and access and private street frontage to a neighboring underutilized residential parcel to the east which will enable future development of that property consistent with the proposed project.

- (c) The project is estimated to generate 9 additional vehicle trips during the PM peak traffic hour and 86 total daily trips. Driscoll Road currently has a PM peak hour volume of 1,047 trips and an average daily volume of just over 12,400 vehicle trips. As such, the project would increase both the PM peak volume and the average daily volume by less than 1% (a 0.87% increase in the PM peak volume and a 0.69% increase in the average daily volume). Therefore, the project will not significantly impact the street network in the neighborhood.
- (d) The exceptions being requested in this case are warranted by the design and amenities of the subdivision in that the slight reductions in front and rear yard setbacks enable the street to be wide enough to accommodate on-street parking and sidewalks on both sides while still providing for ample usable private outdoor space in the front and rear yards. The requested exceptions for the accessory structure height limit and rear yard setback are warranted in that allowing Lot 3 to have a secondary dwelling unit over the garage will provide either a rental opportunity or housing for a family member, while not adversely impacting the adjacent property to the rear for the reasons discussed in the "Zoning Regulations" analysis, above. The requested exception for the setback of the existing church building from the private street is warranted in that the proposed private street location is the only location where access can be provided to the site without requiring the removal of any of existing improvements or the abandonment and/or relocation of any existing easements on the subject parcel which affect a number of adjacent properties.
- (e) The adjacent lands to the north and east are all currently developed with low-density single-family dwellings, and contain buildings of similar height and mass on similarly-sized lots which abut the subject property to the north and east. As such, the proposed development would not affect their ability to be redeveloped in a manner compatible with the project.

Staff has conditioned the project to enable the adjacent, underutilized parcel at 151 Driscoll Road, a 1.5-acre parcel containing an old farmhouse and barn which is currently zoned R-1-10, to tap into the private street should that parcel ever be subdivided and developed with additional dwelling units through the provision of an access easement benefiting that parcel over the flagpole portion of the street. The developer of such a project would need to complete the street improvements along the eastern edge of the private street to match those being constructed as part of this project, including the installation of a sidewalk and bulb-out planters with street trees. As such, the project would facilitate future development of the adjacent parcel by providing the necessary access to it via the proposed private street rather than supporting future development access from an arterial street. As discussed in the "General Plan Conformance" section above, the Transportation Element discourages direct access from new development to arterial roads such as Driscoll.

- (f) The P District will conform to the General Plan in that the proposed density of 4.15 units to the acre is consistent with the land use designation of Low Density Residential, 3-5 Units per Acre, and components of the project comply with various goals and policies of the Land Use, Housing, and Health and Safety Chapters of the General Plan as discussed in the "General Plan Conformance" section, above.
- (g) There are existing water, sewer, and public storm drain systems serving the area which are capable of accommodating the proposed development, and no additional off-site easements need be

secured or extensions constructed in order to tie the project into these systems. An existing on-site sanitary sewer easement will be relocated as part of this project.

Vesting Tentative Tract Map: In order to approve the proposed Vesting Tentative Tract Map, the subdivision must be found to be consistent with the General Plan, FMC Section 8-1418, and the Subdivision Map Act. Based on the analysis provided above, staff finds that the proposed vesting tentative map is in conformance with the General Plan, FMC Section 8-1418, and the Subdivision Map Act. However, if any of the following findings can be made, the vesting tentative tract map shall be denied. Staff was unable to make any of the findings to deny the map, and therefore recommends approval of the application.

- (1) The map fails to meet or perform one or more of the requirements or conditions imposed by the Subdivision Map Act and Chapter 1 of the Zoning Code (Subdivisions);
- (2) The proposed subdivision, together with the provisions for its design and improvements, is not consistent with applicable general and specific plans;
- (3) The site is not physically suitable for the type or proposed density of development;
- (4) The design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- (5) The design of the subdivision or the type or improvements is likely to cause serious public health problems; and
- (6) The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

Preliminary Grading Plan: Pursuant to FMC Section 8-4109, the following findings must be made in order to approve a preliminary grading plan application:

- (a) The proposed project will not have an appearance, due to the grading, excavation or fill, substantially and negatively different from the existing natural appearance;
- (b) The proposed project will not result in geologic or topographic instability on or near the site;
- (c) The proposed project will not endanger public sewers, storm drains, watercourses, streets, street improvements or other property; will not interfere with existing drainage courses; and will not result in debris being deposited in any public right-of-way;
- (d) Conformity, where applicable, to special concerns relating to the adopted seismic safety element and concerns shown on maps issued by the U.S. Geological Survey and the California Division of Mines and Geology; supplemental data and substantiation of conclusions may be required by the City Engineer upon city review of the reports; and
- (e) The proposed project will not unacceptably affect the health, safety or welfare of adjacent residents or landowners, nor the citizens of Fremont.

Discussion:

- (a) In this particular case, the preliminary grading plan is designed to create relatively level land between the back of the church property and the adjacent single-family homes directly north of the site which sit topographically between ± 2 and ± 6 feet below the land to be subdivided, as well as to channel runoff into the existing and proposed storm drain systems serving the subdivision. There is an existing ± 2 -foot high retaining wall running along the back of the single-family properties which would be preserved, with all proposed cutting and filling occurring between it and the new rear property line of the church parcel. As such, the proposed grading would not significantly alter the appearance from the adjacent properties or within the property itself.
- (b) All graded areas would be engineered with fill material that will be compacted in accordance with the specifications of the Grading, Erosion and Sedimentation Chapter of the Fremont Municipal Code to provide a safe, stable environment for the proposed end use of the land for single-family residential development. As such, implementation of the project will not cause geologic instability which could result in a safety hazard.
- (c) All utility services would require extensions from off-site mains into the subdivision; there are currently no streets or sewer, water, or storm drain lines within the area of land to be developed. Similarly, no bodies of water traverse the site. As such, there are no existing utilities or water bodies that could be damaged as a result of the project.

A new intersection between the proposed private street and Driscoll Road would be constructed at the entrance to the subdivision, but any damage to the existing public right-of-way improvements would be repaired and/or replaced to the satisfaction of the City Engineer. In addition, the project would be designed so as not augment runoff onto any adjacent properties, and the applicant would be required to implement erosion control measures during grading and construction to prevent sediments and/or debris from entering the public storm drain systems.

- (d) According to the 2004 California State Geologic and Seismic Hazard Zones map, the project site is located in an area susceptible to earthquake-induced liquefaction. Furthermore, according to a geotechnical report prepared for the project in August 2010, the property contains expansive soils. As such, all grading, foundations and structures must be engineered and designed in conformance with applicable geotechnical and soil stability standards of the California Building Code.
- (e) Minor construction-related impacts to the existing residential neighborhood immediately north and east of the project site will occur, such as noise, vibration, and exhaust fumes from earth-moving equipment. However, these impacts would be of a short duration, and the final topography that would be established upon completion of the grading work will be geologically stable and suitable for residential development. The project would also be designed to capture all runoff from the site and channel it to the storm drain system thereby, and to prevent erosion and sediments from entering the street and storm drain system.

Private Street: In accordance with FMC Section 8-1502, all lots created by a subdivision must have access to a public street. The same code section allows for private streets to be used to provide access in certain cases where it is determined that such a street would be more appropriate than a public street. In

such cases, the decision-making body must make the following finding in order to approve a private street over a public street:

- (1) The most logical development of the land being subdivided requires private street access.

Discussion:

A public street would normally be required to provide access to the development and insure the orderly development of adjacent properties. However, in this case, allowing the private street is the most logical approach in that the land being subdivided is currently encumbered with various easements affecting the adjacent properties and existing conditions that make it impossible to construct a public street to the City standard for a residential cul-de-sac (particularly, the pinch-point between the existing church building and the adjacent property to the northeast, as well as the parking lot and joint access, parking, and emergency vehicle easements benefiting the adjacent church to southwest). Because of these existing conditions, various street section modifications are needed to accommodate the street in the proposed location between the church and the adjacent property to the northeast, including providing stormwater treatment devices in tree well filters located in bulb-outs rather than in sidewalk planters, and a sidewalk on only one side of the street and at the back of curb rather than separated by a planter strip. Allowing the private street will also accommodate the proposed development's stormwater storage needs consistent with regional stormwater requirements (hydro-modification) within the street itself. Such private facilities would not be allowed within public rights-of-way because they do not benefit the general public.

With staff-recommended condition of approval #51 requiring the granting of access to the property at 151 Driscoll Road, the private street achieves the same purpose as a public street, and fulfills the requirements of a public street by ensuring a logical future development pattern on the adjacent parcel in a manner consistent with the General Plan Transportation Chapter policy to limit new access points and curb cuts along busy arterial roads such as Driscoll. If the applicant is unwilling to grant the access easement to the adjacent property, then staff does not recommend approval of the private street entitlement. Instead, staff's recommendation would be to have the project redesigned with a public street in order to allow the future development of the adjacent property in a manner consistent with the General Plan. Condition #51 outlines the requirements for granting future access and procedures for participation in maintenance of the private street by all parties that would share it.

Affordable Housing Plan: Pursuant to FMC Section 8-22174(d), the following finding must be made in order to approve an affordable housing plan:

- (a) The proposed affordable housing plan conforms to Article 21.7 of the Zoning Ordinance (Affordable Housing Ordinance).

Discussion:

The alternative plan to purchase market-rate units for conversion to BMR units as proposed complies with the City's Affordable Housing Ordinance in that: (a) the units will be vacant and foreclosed upon; (b) the units will be located within one mile of either the Fremont BART station or the Centerville Amtrak/ACE Train station; and (c) the units will be rehabilitated at the applicant's expense in

compliance with current building and life safety codes subject to building permit approval and final inspection by the City's Building Division.

Planning Commission Action: On March 10, 2011, the Planning Commission considered the proposal and unanimously recommended Council approval in accordance with staff's recommendation with one additional condition of approval requiring an exterminator to treat the property for field mice prior to the commencement of any ground-breaking activities (Condition #92). At the hearing, the applicant objected to one of the staff-recommended conditions (Condition #51) which requires the provision of a private access easement along the flagpole-shaped portion of the private street for the benefit of the adjacent property at 151 Driscoll Road on the grounds that he should not have to provide access to that property without receiving any up-front financial reimbursement from its current owner. However, the Planning Commission voted to uphold staff's recommendation and include the condition in its final recommendation to the City Council.

A total of five neighbors residing along Jacaranda Drive and Ferreira Place behind the project objected to the proposed home sizes, believing them to be too large and inconsistent with the character of the other homes in the neighborhood. In the end the Planning Commission made no recommendations to reduce the size of the units. Some of these neighbors also expressed concern over the impacts the project could have on the local school district and on drainage patterns in relation to their properties.

Impact Fees: This project will be subject to citywide Development Impact Fees, including fees for fire protection, park facilities, park land, capital facilities and traffic facilities. All applicable fees shall be calculated and paid at the fee rates in effect at the time of building permit issuance. The applicant may elect to defer payment of the fees in accordance with the City's Impact Fee Deferral Program.

FISCAL IMPACT: Not applicable.

ENVIRONMENTAL REVIEW: An Initial Study and Draft Mitigated Negative Declaration (see Informational Item #1 and Exhibit "A") have been prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The environmental analysis identified concerns regarding potential significant impacts to air quality through the generation of construction-related dust and other airborne particles. The Draft Mitigated Negative Declaration includes mitigation measures, which, if implemented, would reduce the identified impacts to non-significant levels, including the implementation of standard dust control methods during all grading and construction activities. The mitigation measures are included as conditions of approval for the project.

PUBLIC NOTICE AND COMMENT: Public hearing notification is applicable for the entitlements being requested. A total of 71 notices were mailed to all owners and occupants of property within 300 square feet of the site. The notices were mailed out by the City Clerk's Office on Thursday, March 31, 2011. A Public Hearing Notice was also published in *The Tri-City Voice* on Tuesday, March 29, 2011.

ENCLOSURES:

- [Draft Ordinance](#)
- [Exhibit “A” – Draft Mitigated Negative Declaration and Mitigation Monitoring Program](#)
- [Exhibit “B” – Rezoning Map](#)
- [Exhibit “C” – Preliminary and Precise Planned District P-2010-280](#)
- [Exhibit “D” – Vesting Tentative Tract Map No. 8052, Private Street, Preliminary Grading Plan](#)
- [Exhibit “E” – Affordable Housing Plan](#)
- [Exhibit “F” – Recommended Findings and Conditions of Approval](#)
- [Informational #1 – Initial Study](#)
- [Informational #2 – Project Summary Data](#)

RECOMMENDATION:

1. Hold public hearing;
2. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program and find that this action reflects the independent judgment of the City of Fremont;
3. Introduce an ordinance that rezones the property and adopts the Preliminary and Precise Planned District and direct staff to prepare and the City Clerk to publish a summary of the ordinance;
4. Find that the Preliminary and Precise Plan for the project and Vesting Tentative Tract Map No. 8052 and the accompanying Private Street and Preliminary Grading Plan as depicted in Exhibits “C” and “D”, respectively, fulfill the applicable requirements set forth in the Fremont Municipal Code;
5. Approve the Preliminary and Precise Plan as shown on Exhibit “C” (site plan, floor plans, building elevations and landscape plans), and Vesting Tentative Tract Map No. 8052 and the accompanying Private Street and Preliminary Grading Plan as shown on Exhibit “D”, based upon the findings contained in this report and subject to the conditions of approval set forth in Exhibit “F”;
6. Approve the proposed Affordable Housing Plan as shown in Exhibit “E” authorizing the applicant to purchase two off-site market-rate 3-bedroom condominium units for conversion to Below-Market-Rate units, or pay the required in-lieu fees to achieve compliance with the Affordable Housing Ordinance; and
7. Approve the proposed removal and mitigation for all private, protected trees pursuant to the City’s Tree Preservation Ordinance and as described in the staff report and conditions of approval set forth in Exhibit “F”.

6.1 Report Out from Closed Session of Any Final Action

7.1 APPROVE THE FREMONT SKATE PARK DESIGN, 8672 (PWC)

Recreation Commission Referral to Adopt a Mitigated Negative Declaration and Approve the Site Master Plan for the Fremont Skate Park, 8672 (PWC), Including Proposed Art

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Executive Summary: This report recommends the City Council adopt the Mitigated Negative Declaration and approve the Site Master Plan and art railing for the Fremont Skate Park in Central Park. On April 6, 2011, the Recreation Commission recommended the City Council adopt the Mitigated Negative Declaration, and approve the Site Master Plan for the Skate Park project, including an art railing recommended by the Art Review Board. The site is approximately one acre and located on the west side of the undeveloped portion of the old swim lagoon site, adjacent to Aqua Adventure Water Park. The design team of Verde Design, Inc., and Wormhoudt, Inc., generated the proposed Master Plan after collaboration with local skaters at two workshops. The proposed design incorporates both street and bowl type skating into the design, making this park attractive to a broad range of skaters.

BACKGROUND: In the June 2009 adoption of the fiscal year 2009/10 to 2013/14 Capital Improvement Program Budget, the City Council included the remaining funding needed to complete Fremont's first permanent skate park to replace the temporary park that was closed in April 2009. In 1999, Fremont opened the temporary wooden ramp skate park, which was intended to last five years until enough funding could be established for a permanent facility. A modern permanent facility differs from a temporary facility in that it is built of concrete and typically includes multiple deep bowls combined with "street" style features that mimic an urban downtown plaza. Through extensive maintenance and repairs, Fremont managed to keep the temporary facility open to local skaters for ten years. By April 2009, acquiring replacement parts for the ramps became extremely difficult and expensive. The parts were no longer being manufactured in mass. For safety and financial reasons, the temporary skate park closed permanently.

Location analysis: Staff from the Parks and Recreation Department and Community Development Department conducted a location study that looked at all of Central Park. Central Park is the preferred park for facilities such as a skate park due to the centralized location, and the uniqueness of this facility. A site selection process was conducted through the use of the following criteria:

- Centralized location within the City and Central Park,
- High visibility from outside for safety and convenience for park ranger and police patrol,
- Existing parking directly adjacent to facility,
- Restroom available near the site,
- Suitably segregated from other conflicting use areas, such as play areas, group picnic areas, and passive use areas,
- Suitable distance from residential areas,

- Controlled access: a site that can be easily fenced should the City find it necessary to do so,
- Adequate and suitable area for skate park and appurtenances,
- Utility connections nearby.

On September 14, 2010 and on January 4, 2011, the City Council reviewed detailed analysis of the following Central Park locations: Stevenson Boulevard near the softball complex, Paseo Padre Parkway and Stevenson Boulevard (known as the Performing Arts Center Site), between Paseo Padre Parkway and the Teen Center building, between Sailway Drive and the Senior Center, Civic Center knoll (former temporary skate park site), and at Paseo Padre Parkway adjacent to the Aqua Adventure Water Park. On January 4, 2011, City Council directed staff to focus environmental analysis on only the site adjacent to the Aqua Adventure Water Park Site.

Previous Council Action: City Council adopted a Negative Declaration and approved the Site Master Plan on September 14, 2010 for the Skate Park design at the site adjacent to the Aqua Adventure Water Park. Subsequently, on October 14, 2010, petitioner John Freeman brought a lawsuit against the City challenging the adequacy of the Negative Declaration. On January 4, 2011, the City Council rescinded the September 14, 2010 Skate Park project approvals, and directed staff to provide more detailed environmental analysis of the design located at the site adjacent to the Aqua Adventure Water Park.

Neighborhood concerns: Staff and City Council have heard from some neighbors in that area who do not support the skate park location and others who do support the location. The concerns can be generally categorized to include perceived increases in vandalism, crime, and noise.

Vandalism: Vandalism is a problem throughout the City park system and is predominantly in the form of graffiti. The City has a graffiti removal program in Maintenance that has been successful in removing graffiti in a timely manner throughout the City parks. The best surfaces for graffiti in the skate park will be the concrete skating surface. Since skaters find painted surfaces very undesirable to skate on due to the slick surface it creates, we anticipate graffiti by skaters to be non-existent. It is also likely that skaters will police others committing graffiti in what they will regard as their park. The previous skate park experienced far less vandalism than the majority of our park system, including playgrounds, and had very few graffiti incidents over the ten years.

Crime: The proposed skate park is specifically designed to address safety by attracting a broad range of users to the facility in providing features for all ages with increasing levels of challenge, providing access to non-skating people and parents with designated walkways and picnic area, and with the addition of lighting to enhance visibility during the evening hours. Years ago, communities tried to hide their skate parks due to the unattractive nature of vast areas of concrete or ugly wood ramps. Locating these parks in places such as alleys or behind buildings or industrial sections of town led to these parks being subject to undesirable activities and parents unwilling to allow their children go there. The negative public opinion of skate parks persists today largely due to these older parks in out of the way locations. Much has been learned from these early mistakes and communities are now embracing skate parks by including them in family use areas where parents feel more comfortable letting their children skate and local enforcement can routinely and easily observe the activities in the park. The Fremont Skate Park proposal includes trees and landscape areas to segment and visually soften the concrete areas so the park will fit into the overall Central Park setting.

The City has a staff of Park Rangers in Central Park that will regularly patrol the skate park, supplementing the city's police force. The location of this park is far more visible and accessible than the previous facility at the knoll, making it easier for both the Park Rangers and Police to patrol during regular rounds. The high level of visibility is one of the reasons the Paseo Padre Parkway location was selected.

Noise: Staff commissioned a noise assessment of the proposed project, which was conducted by the firm of Illingworth & Rodkin, Inc. Their findings are documented in a report dated March 8, 2011. The Initial Study (environmental assessment) conducted for this project discusses the findings in detail and incorporates the report by reference. The report found that the project would not generate noise at the noise sensitive residential homes above 50 dBA during operating hours, which is well below the ambient traffic noise generated along Paseo Padre Parkway. (dBA stands for decibels expressed as a weighted average.)

This project will add trees to the landscape area between Paseo Padre Parkway and the Skate Park to further minimize the view of the Skate Park from these homes, and to create additional sound absorption. In July 2010, a new landscaped median with significant tree planting was completed on Paseo Padre Parkway, between the residences and the Skate Park site.

Staff has committed the following to the residents if the project proceeds as recommended:

- To create a "Friends of the Skate Park" group. This group would consist of neighbors, skaters, and their parents,
- Coordinate Park Ranger patrol end of shift hours to coincide with the hours of operation of the Skate Park, and
- Should noise from the new Skate Park be a clear disruption to the rear yards of the property, that measures will be explored and implemented as appropriate.

DISCUSSION/ANALYSIS: The new Fremont concrete skate park will be unlike any other skate park in the world. The 25,000 square foot park design is the direct result of local skater input and a hands-on design process. As such, the proposed park terrain reflects the local skating styles and is distinctly unique in its layout of the plaza, transition and the street course features. The park has been designed to accommodate all skill levels, spectators, competitions, and recreation programs, while minimizing maintenance, and being a resource to the entire community of Fremont.

Related Site Improvements. In addition to 25,000 square feet of skating surfaces, the new skate park facility will include shade structures, picnic benches, spectator seating benches, drinking fountains, bike racks, and lighting for safety and night skating. The site furnishings will be modern looking and made from durable low to no maintenance materials. The design of the furnishings focuses the use on the non-skaters and observers, with edges and trims that do not encourage grinding and other skate activities. Maintenance is an important factor that was considered in the total design of the skate park as well as the specifics regarding materials and uses of the space.

Integrated Landscape Improvements. Breaking from the tradition of monolithic concrete massing, typical of most municipal skate parks, the Fremont skate park will include integrated synthetic turf, trees, planting, stormwater retention/percolation areas and spectator areas. This softscape relief within

the footprint of the skate park will allow for unique viewing opportunities, shade and cooling, aesthetic enhancements/variation, and the feel of a bigger skate park.

Synthetic turf is being used for the interior “landscape” areas for its low/no maintenance qualities. These landscape areas will have tree plantings to provide shade, a three dimensional feel and for the separation and definition of the different skate type areas. There will be natural landscape areas at the perimeter of the skate facility to help the paved improvements blend into the surrounding landscape of Central Park. These landscape areas include planted areas that are specifically designed for the detention and percolation of stormwater generated from rain events and the site improvements.

The layout of the skate park facility and the pedestrian/observer use areas is intentionally designed to provide the maximum skate experience while providing integrated and interactive viewing by non-skaters.

Materials and Construction. The proposed skate park will be substantially built of poured-in-place concrete. Far different than the concrete of sidewalks, the skate park concrete is structurally engineered to minimize cracking and facilitate the development of precision finish surfaces. Several high profile areas of the skate park concrete are proposed to be brick stamped and stained concrete. This detailing will add functional textures and shading for skaters as well as help break up the massing of the total concrete area. The park is also detailed with several types of metal edging commonly referred to as “coping”. The coping is located at the edge of ramps and ledges and has two primary functions. Coping specifically allows skaters to perform various tricks and maneuvers that cannot be performed on concrete edges. The coping also protects the skate park edges from the grinding maneuvers that skaters perform that would destroy the skate park. For this reason, coping is detailed onto every “grindable” ledge in the park, eliminating the need for any ongoing maintenance or repairs to the skate park structure.

User Groups and Safety. The average skater is fourteen years old, but skate parks are regularly and widely attended by skaters from two to sixty years of age. It is often assumed with skating, as it is with many sports, that skill level is associated with age. However, with skating, age and skill level have no correlation. More often than not, the best skaters at any skate park are children under ten. This dynamic is one the many great aspects of skating, but it requires careful planning to ensure the skate park design will function safely while providing challenges for the skaters as their skills improve. The proposed Fremont Skate Park responds to this dynamic in several specific ways:

- Skill level specific terrain modules – The skate park has been designed to promote an overall “flow” -ability for skaters to seamlessly connect the various parts of the park together while riding. However, the park is specifically set-up in modules that are associated with the various skill levels (beginner through advanced). Each module design anticipates and, by design, controls rider speed and path of travel. Modules that allow for higher rates of speed are physically separated from modules and terrain that promote slower rates of speed. As a result, a “first time” skater can safely learn the sport within the same park where advanced riders are further expanding their skills with minimal risk of collision or interference. If they have the skills, skaters have the potential to link the modules together to enjoy the park’s entire flow.
- One for all – The park has been designed with skill level specific terrain modules, but there will not be any physical boundaries or people preventing beginners and advanced skaters from

exploring and using the entire park. For this reason, the park is designed to be safe for beginning skaters in all locations, while still providing infinite challenges to the most advanced skaters. This is accomplished by minimizing vertical falls, blind spots, and intersections while maximizing site lines and traffic blending.

Art Review Board Recommendation: At their regularly scheduled meeting on July 15, 2010, the Art Review Board reviewed the proposed art by Eric Powell. The art consists of six panels of formed steel to represent abstract images of skaters in motion. These panels will be incorporated into the advanced bowl guard rail/fence and will be in prominent view from throughout the park. The Recreation Commission reviewed and recommended approval of the Art Review Board recommendation to approve the proposed art by Eric Powell.

Recreation Commission action: On April 6, 2011, the Recreation Commission considered the Skate Park Site Plan, the draft Mitigated Negative Declaration, and General Plan conformance of the project. The Commission made the finding that the project conforms to the Fremont General Plan and voted (7-0-0) to recommend the following to the City Council:

- adopt the draft Mitigated Negative Declaration
- adopt the Site Master Plan for the Skate Park
- approve the railing art designed by Eric Powell

FISCAL IMPACT: The adopted project budget for the Permanent Skate Park is \$2,042,000. Funds for the skate park are from Park Development Impact Fees and are, therefore, dedicated for park development. These funds cannot be used for other purposes such as maintenance and public safety. The budget breakdown is as follows:

Project Management, permitting, utilities, community process, special studies, environmental analysis	\$249,676
Design Consultant (Verde Design, Inc.)	\$210,240
Construction (estimated bid)	\$1,200,000
Construction Management	\$124,000
Project Contingencies	<u>\$258,084</u>
TOTAL PROJECT BUDGET:	\$2,042,000

ENVIRONMENTAL REVIEW: An Initial Study, draft Mitigated Negative Declaration, and Mitigation and Monitoring Program have been prepared for this project. The environmental analysis identified concerns regarding potential construction-period impacts in the topics of air quality (i.e., dust control) and cultural resources (i.e., potential unearthing of paleontological, archeological, and human remains). Recommended mitigation measures reduce the identified potential air quality and cultural resource impacts to a less-than-significant level. The draft Mitigated Negative Declaration and Mitigation Monitoring Program are provided in Exhibit "A." The Initial Study is provided in Informational Item 1.

Public notice of the City's intent to adopt a Mitigated Negative Declaration and availability of the Initial Study for review was mailed to interested parties and property owners/residents within 300 feet of the

project on March 23, 2011. The 20-day public comment period extends from March 24 through April 12, 2011.

ENCLOSURES:

- [Informational 1: Initial Study for Skate Park](#)
- [Exhibit A: Draft Mitigated Negative Declaration](#)
- [Exhibit B: Site Master Plan for Fremont Skate Park](#)

RECOMMENDATION:

1. Hold a public hearing.
2. Adopt the draft Mitigated Negative Declaration, as shown in Exhibit A, and find this action reflects the independent judgment of the City of Fremont.
3. Approve the art designed by Eric Powell for the Advance Bowl railing, and that it meets the requirements of the Art in Public Places Policy, Resolution No. 7111.
4. Approve Exhibit B, Site Master Plan for the Fremont Skate Park, PWC 8672.

8.1 Council Referrals – None.

8.2 Oral Reports on Meetings and Events

ACRONYMS

ABAG.....	Association of Bay Area Governments	FUSD	Fremont Unified School District
ACCMA.....	Alameda County Congestion Management Agency	GIS	Geographic Information System
ACE	Altamont Commuter Express	GPA.....	General Plan Amendment
ACFCD	Alameda County Flood Control District	HARB	Historical Architectural Review Board
ACTA	Alameda County Transportation Authority	HBA	Home Builders Association
ACTIA	Alameda County Transportation Improvement Authority	HRC	Human Relations Commission
ACWD	Alameda County Water District	ICMA	International City/County Management Association
BAAQMD	Bay Area Air Quality Management District	JPA	Joint Powers Authority
BART	Bay Area Rapid Transit District	LLMD	Lighting and Landscaping Maintenance District
BCDC	Bay Conservation & Development Commission	LOCC	League of California Cities
BMPs	Best Management Practices	LOS	Level of Service
BMR	Below Market Rate	MOU	Memorandum of Understanding
CALPERS.....	California Public Employees' Retirement System	MTC.....	Metropolitan Transportation Commission
CBD	Central Business District	NEPA	National Environmental Policy Act
CDD.....	Community Development Department	NLC.....	National League of Cities
CC & R's	Covenants, Conditions & Restrictions	NPDES.....	National Pollutant Discharge Elimination System
CDBG	Community Development Block Grant	NPO.....	Neighborhood Preservation Ordinance
CEQA	California Environmental Quality Act	PC.....	Planning Commission
CERT	Community Emergency Response Team	PD	Planned District
CIP	Capital Improvement Program	PUC.....	Public Utilities Commission
CMA	Congestion Management Agency	PVAW	Private Vehicle Accessway
CNG.....	Compressed Natural Gas	PWC.....	Public Works Contract
COF	City of Fremont	RDA	Redevelopment Agency
COPPS	Community Oriented Policing and Public Safety	RFP	Request for Proposals
CSAC.....	California State Association of Counties	RFQ.....	Request for Qualifications
CTC	California Transportation Commission	RHNA	Regional Housing Needs Allocation
dB	Decibel	ROP.....	Regional Occupational Program
DEIR.....	Draft Environmental Impact Report	RRIDRO.....	Residential Rent Increase Dispute Resolution Ordinance
DO	Development Organization	RWQCB	Regional Water Quality Control Board
DU/AC.....	Dwelling Units per Acre	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EBRPD	East Bay Regional Park District	SPAA	Site Plan and Architectural Approval
EDAC	Economic Development Advisory Commission (City)	STIP	State Transportation Improvement Program
EIR.....	Environmental Impact Report (CEQA)	TCRDF.....	Tri-Cities Recycling and Disposal Facility
EIS	Environmental Impact Statement (NEPA)	T&O	Transportation and Operations Department
ERAF	Education Revenue Augmentation Fund	TOD	Transit Oriented Development
EVAW	Emergency Vehicle Accessway	TS/MRF	Transfer Station/Materials Recovery Facility
FAR	Floor Area Ratio	UBC	Uniform Building Code
FEMA.....	Federal Emergency Management Agency	USD.....	Union Sanitary District
FFD.....	Fremont Fire Department	VTa	Santa Clara Valley Transportation Authority
FMC.....	Fremont Municipal Code	WMA	Waste Management Authority
FPD.....	Fremont Police Department	ZTA.....	Zoning Text Amendment
FRC.....	Family Resource Center		

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

<i>Date</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>	<i>Cable Channel 27</i>
April 19, 2011	5:30 p.m.	Work Session	Council Chambers	Live
April 26, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 2, 2011	4-6 p.m.	Joint Council/FUSD Meeting	Council Chambers	Live
May 3, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 10, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 17, 2011	TBD	Work Session	Council Chambers	Live
May 24, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 31, 2011 (5 th Tuesday)		No Council Meeting		
June 7, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 14, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 21, 2011	TBD	Work Session	Council Chambers	Live
June 28, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 5, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 12, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 19, 2011	TBD	Work Session	Council Chambers	Live
July 26, 2011	7:00 p.m.	City Council Meeting	Council Chambers	Live